

APR. 15. 2008 10:06AM

OBLON SPIVAK

NO. 338

P. 1



ATTORNEYS AT LAW

KATHLEEN A. MORSBERGER
CONTROLLER
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KMORSBERGER@OBLON.COM

40 years
1968-2008

April 14, 2008

UNITED STATES PATENT AND TRADEMARK OFFICE
2051 Jamieson Avenue
Suite 300
Alexandria, VA

Attn: Refund Department

Re: Deposit Account Number 150030

Dear Sir or Madame:

Enclosed is a copy of a portion of our Deposit Account Statement of March 2008. Please review the highlighted charge on Serial Number 09/981,983, in the amount of \$180.00 on fee code number 1806.

This charge appears to be in error as the August 24, 2007 Decision on Petition for Forth Suspension of Action Under 37 CFR 1.102 (a) suspended action for 6 months until a cooperative experiment could be conducted. The results of the experiment were contained in the February 24, 2008 IDS which was filed before the end of the 6 month Suspension.

Please review this application and kindly refund \$180.00 to deposit account number 150030. Copies of the appropriate paperwork are attached. If you have any questions, please contact Scott Lohr at (703) 412-6472. Thank you for your assistance.

Sincerely,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Scott Lohr

Enclosure: Deposit Account Statement

OBLON, SPIVAK, McCLELLAND, MAIER & NEUSTADT, P.C.
1940 DUKE STREET ■ ALEXANDRIA, VIRGINIA 22314 ■ U.S.A.

TELEPHONE: 703-413-3000 ■ FACSIMILE: 703-413-2220 ■ WWW.OBLON.COM

03/17 23	10484197	247678US6PCT	1251	-\$120.00	\$26,201.71
03/18 830	61013680	319797US/KQU	8007	\$140.00	\$26,061.71
✓ 03/18 1	11573741	303549US0PCT	1615	\$400.00	\$25,661.71
03/18 9937	61013680	31979US/KQU 319797us	8007	\$140.00	\$25,521.71
✓ 03/18 26	12028526	321869US2	1203	\$370.00	\$25,151.71
03/18 47	09101833	254616US40 PCT	1501	\$40.00	\$25,111.71
✓ 03/18 9	11622297	301791US28	1811	\$100.00	\$25,011.71
03/18 13138	0205590865	319809US/KQU	8014	\$75.00	\$24,936.71
✓ 03/19 1	10863498	254275US0	1202	\$50.00	\$24,886.71
03/19 1	11960109	320105US0CIP	1202	-\$100.00	\$24,986.71
03/19 2	11960109	320105US0CIP	1203	-\$370.00	\$25,356.71
✓ 03/19 2	09981983	215141US2	1806	\$180.00	\$26,176.71
✓ 03/20 1	10647239	241972US8	1201	\$210.00	\$24,966.71
03/20 8742	60909514	306555US/KQU	8007	\$60.00	\$24,906.71
03/20 3	10621448	240473US2	1801	\$810.00	\$24,096.71
✓ 03/21 36	12046454	323614US30CIP	1201	\$210.00	\$23,886.71
✓ 03/21 12	11582993	297809US8	1251	\$120.00	\$23,766.71
03/24 8312	60849761	297561US/KQU	8007	\$100.00	\$23,666.71
03/24 8356	60751438	28367US/KQU 283676us	8007	\$100.00	\$23,566.71
03/24 9661	60908040	306049US/KQU	8007	\$20.00	\$23,546.71
03/25 11092	60895331	305651US/KQU	8007	\$20.00	\$23,526.71
✓ 03/25 1	10505861	256856US0PCT	1202	\$1,050.00	\$22,476.71
03/25 48	10560836	281760US0PCT	2252	-\$230.00	\$22,706.71
✓ 03/26 254	0206670335	279037WO	8014	\$75.00	\$22,631.71
03/26 1	95000332	6082-007-383 321264us	1806	-\$180.00	\$22,811.71
03/26 6	11576395	308456US2PCT	1681	-\$250.00	\$23,061.71
✓ 03/26 2823	0175160653	279727IN,KR,CN	8014	\$75.00	\$22,986.71
03/26 1	11858142	314874US0CONT	1806	-\$180.00	\$23,166.71
✓ 03/26 21	11908350	314707US8X PCT	1614	\$250.00	\$22,916.71
03/26 28	11766522	309175us	1463	-\$200.00	\$23,116.71
✓ 03/27 14296	0174940219	282199KR-CN	8014	\$50.00	\$23,066.71
✓ 03/27 11	11910172	315393US2PCT	1615	\$300.00	\$22,766.71
✓ 03/27 19186	11935655	316624 (4 ALL COUNTRIES)	8007	\$120.00	\$22,646.71
✓ 03/27 12	12015168	320830US2SX	1051	\$130.00	\$22,516.71
✓ 03/27 48	11759692	310130US0	1251	\$120.00	\$22,396.71
✓ 03/28 6	11913260	317748US58PCT	1615	\$250.00	\$22,146.71
✓ 03/28 15	11913070	316141US3PCT	1616	\$370.00	\$21,776.71
✓ 03/28 9606	29304478	316871US/KQU	8007	\$20.00	\$21,756.71
03/28 8	11188888	275584US0CONT	1401	\$510.00	\$21,246.71
✓ 03/28 20	11910979	315866US0PCT	1615	\$50.00	\$21,196.71
03/31 1045	7198905	242333US/KQU	8013	\$50.00	\$21,146.71
✓ 03/31 7	11994079	320281US0PCT	2615	\$25.00	\$21,121.71
03/31 134	11166173	274428US0	1251	-\$120.00	\$21,241.71
03/31 38	61013680	319797US/KQU	8007	-\$140.00	\$21,381.71

START SUM OF
BALANCE CHARGES
\$36,281.71 \$22,300.00

SUM OF END
REPLENISH BALANCE
\$7,400.00 \$21,381.71



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Oblon, Spivak, McClelland, Maier & Nuestadt, P.C.
1940 Duke Street
Alexandria, VA 22314

MAILED
FROM DIRECTOR'S OFFICE

AUG 24 2007

TECHNOLOGY CENTER 3600

In re application of	:	DECISION ON PETITION
Yasuhiro Iwamura et al.	:	FOR FOURTH SUSPENSION
Application No. 09/981,983	:	OF ACTION UNDER
Filed: October 19, 2001	:	37 CFR 1.103 (a)
For: NUCLIDE TRANSMUTATION DEVICE AND		
NUCLIDE TRANSMUTATION METHOD		

This letter is responsive to the petition for a second suspension of action under 37 CFR 1.103(a) received on June 6, 2007.

The petition for suspension of action under 37 CFR 1.103(a) is **GRANTED**.

A grantable petition for suspension of action under 37 CFR 1.103(a) requires:

- 1) A showing of good and sufficient cause for suspension of action, and
- 2) The fee set forth in 37 CFR 1.17(g), unless such cause is the fault of the Office.

Applicant filed a petition on August 5, 2005 to suspend action by the examiner until a cooperative experiment could be conducted by an Independent Administrative Institution, RIKEN, which experiment has apparently since been completed. A decision granting a 6 month suspension was mailed August 15, 2005. In a subsequent petition filed April 4, 2006, the applicant indicates that additional cooperative research between the U.S. Naval Research Laboratory (NRL) and Mitsubishi Heavy Industries, Ltd on the subject matter of applicant's invention has been ongoing since May 20, 2005 and scheduled to continue until May 2007. A third petition filed November 8, 2006 indicated that this schedule remained unchanged. This third petition was granted on December 6, 2006. The instant petition indicates that the above research is currently still in progress. The applicant believes that the result of the research will provide experimental results in support of operability of the present invention that applicant would like to submit upon it's publication.


There being ongoing research which may materially impact a decision on the operability of applicant's invention, it is deemed that the existence of these endeavors constitute a good and sufficient reason why a second suspension should be granted, and thus applicants' request for an additional period of suspension of six (6) months is reasonable and will be **GRANTED**. However, at the conclusion of this latest period of suspension, applicant will have had 24 months of time to complete the experimental testing. Suspensions of action cannot go on indefinitely. As a result, applicant should not expect to receive another suspension at the conclusion of this latest 6 month suspension period. Any such future request will need to go into specific detail as to what experimental procedures have taken place, when they occurred, what procedures are yet to be completed, and why they could not have been completed by the end of this suspension period. Specific evidence would need to be provided as to why non-completion of the required testing by the end of 24 months was unavoidable.

Action by the Office on this application is suspended under 37 CFR 1.103(a) for a period of six (6) months from the date of this letter. At the end of this period applicant is required to notify the examiner and request commencement of prosecution or a further suspension. See MPEP 709. If applicant wishes to commence prosecution earlier than the expiration of the 6 month period, the examiner should be so notified.

The period for suspension will be six (6) months from the date of this letter.

Applicant's deposit account 15-0030 has been charged the balance of the required petition fee of \$200.00 under 37 CFR 1.17(g).

Any questions surrounding this decision should be directed to Quality Assurance Specialist Steven Meyers at (571) 272-6611.


Donald Hajec, Director
Technology Center 3600
(571) 272-5150

snm: 8/17/07

SM

Document code: WFEE

United States Patent and Trademark Office
Sales Receipt for Accounting Date: 03/19/2008

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